

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: Q77969

Shinobu TANAKA

Appln. No.: 10/695,817

Group Art Unit: 2836

Confirmation No.: 7177

Examiner: Carlos David AMAYA

Filed: October 30, 2003

For: UNQUALIFIED PERSON DRIVING PREVENTION APPARATUS FOR VEHICLE

RESPONSE TO NOTIFICATION OF NON-COMPLIANT

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Appellant submits herewith a Response to the Notification of Non-Compliant Appeal Brief Under 37 C.F.R. § 41.37, dated May 21, 2008. A revised version of only the Status of Claims section has been submitted, as requested in the Notification. The page number in the revised Status of Claims section is the same as in the originally filed Appeal Brief.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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65565

CUSTOMER NUMBER

Date: May 30, 2008

III. STATUS OF CLAIMS

Claims 1-13 and 15-17 are pending in the application, stand rejected, and are all the claims that are the subject of the present appeal. Specifically, claims 1-6, 8-13 and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kito (JP 10082223; “Kito ‘223”) and claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kito’ 223 in view of Thorpe (UK 2,395,331). Claim 14 is canceled.

All of the claims pending in the present application are set forth in their entirety in Appendix A, attached to this Brief on Appeal.